

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1130 - SB 1419

March 10, 2023

SUMMARY OF BILL: Changes, from may consider to shall not consider, the list of factors that a local board of education may use when determining student assignment to a public school. Requires a local board of education, when determining the public school to which students must be assigned, to consider and base its decision on the following factors: the choice and interest of the student and the request or consent of the student's parent or legal guardian. Authorizes a student's parent or legal guardian to appeal a board of education's enrollment or assignment decision for the student to the Commissioner of the Department of Education (DOE). Requires the State Board of Education to establish and appeals process.

FISCAL IMPACT:

Other Fiscal Impact – Changing the factors that may be considered when determining student assignment to a public school may result in a shift in student enrollment across the state, an increase in local expenditures to expand current school facilities, and an increase in state expenditures to hear appeals. However, due to multiple unknown factors, the timing and extent of any such impacts cannot be reasonably determined.

Assumption:

- The proposed legislation would require local boards of education to make assignment and enrollment decisions based on the student's choice or request of the parents.
- The proposed legislation further removes all other considerations for student placement pursuant to Tenn. Code Ann. § 49-6-3103, including: available room and teaching capacity at the schools; a student's place of residence; or the adequacy of the pupil's academic preparation for admission to a particular school and curriculum.
- The proposed legislation does not place timing restrictions on enrollment requests and does not allow a local board of education to make decisions based on practical concerns.
- Granting any parent an enrollment or assignment request at any time, and without limitation, would increase administrative burdens on a local board of education.
- Current law establishes that student enrollment decisions by a local board of education are final. Because the proposed legislation removes that authority and authorizes a parent or legal guardian to appeal any enrollment decisions, it is projected that appeals across the state will significantly increase, thereby increasing state expenditures.
- The State Board of Education will be required to establish an appeal process for the Commissioner of DOE and will be able to do so during the normal course of business.

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- The change in student enrollment across the state may result in a shift in the allocation of Tennessee Investment for Student Achievement (TISA) funds to local education agencies (LEAs).
- For a school that experiences an increase in average daily member (ADM), additional teachers and classrooms may be required which may result in an increase in local expenditures; for schools that experience a decrease in ADM, staff reductions may occur, thereby decreasing local expenditures.
- It is unknown how many students would enroll in different schools across the state and how many schools would see an increase or decrease in ADM. Furthermore, it is unknown which schools may be required to increase expenditures or permitted to decrease expenditures. Therefore, due to multiple unknown factors, a precise fiscal impact cannot be reasonably be determined.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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